IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

Con.Case(C).No. 1036 of 2007(S)

JUDGMENT IN WPC.12857/2007 Dated 12/04/2007

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PETITIONER:

V.A.VINCENT, S/O. AUGUSTINE, AGED 56 YEARS,
RESIDING AT VILAKKUMADATHIL, H.NO.19/1980,
PALLURUTHY P.O., ERNAKULAM DISTRICT.

BY ADV. SMT.DAISY A.PHILIPOSE

RESPONDENT:

T.P.SENKUMAR, AGED 49 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONER,
KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
MANAGING DIRECTOR.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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CONT. CASE (C)No.1036 OF 2007

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DATED THIS THE 25th JULY, 2007

J U D G M E N T

The learned Standing Counsel for the K.S.R.T.C. submits that pursuant to Annexure-A1, a hearing notice No.PA8.038564/06 was issued to the petitioner on 17.7.2007. The learned Standing Counsel is unable to say whether hearing was actually conducted on that day. But he would submit that if the petitioner was present pursuant to the hearing notice, hearing would have been conducted. Since the hearing notice, copy of which is placed before me, shows that the respondent is making an endeavour at least to comply with the directions in Annexure-A1, I am of the view that this Court will not be justified in initiating action against the respondent under this jurisdiction.

The Contempt of Court Case will stand disposed of issuing the following directions:-

If hearing is already conducted pursuant to the hearing notice dated 17.7.2007, the respondent will pass orders within three weeks from today and communicate the order to the petitioner. If hearing is not conducted, the respondent will ensure that hearing is arranged and orders are passed at the earliest and at any rate within five weeks from today.

tgl **(PIUS C.KURIAKOSE, JUDGE)**